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November 5, 2020

The Honorable Leo. I. Brisbois
United States District Court
412 Gerald W. Heaney Fed. Bldg. & U.S. Courthouse
515 W. First Street
Duluth, MN 55802

Filed with Permission

Re: Defendants' Request to Appear Telephonically – Case No. 19-cv-01940
Patterson Dental Supply, Inc. v. Daniele Pace and Henry Schein, Inc.

Dear Judge Brisbois:

Defendants Daniele Pace (“Pace”) and Henry Schein, Inc. (“Henry Schein”) jointly request permission for their counsel to appear telephonically for the motion hearing scheduled for **Tuesday, November 10, 2020**.

Defendants make their request due to the ongoing COVID-19 pandemic. Henry Schein’s lead counsel, Abraham Y. Skoff, intended to argue Defendants’ motions on behalf of Henry Schein and resides in the State of New Jersey. Consistent with advisories issued by New Jersey, Minnesota, and the Centers for Disease Control and Prevention, to avoid transmission of the coronavirus, Mr. Skoff has been working remotely and has not engaged in interstate air travel since February, 2020. Further, New Jersey and Minnesota are experiencing substantial increases in COVID-19 cases and hospitalizations. Just yesterday, Chief Judge John Tunheim issued General Order 20 continuing all civil and criminal trials through December 31, 2020 in response to Minnesota’s record-high COVID-19 infection rates. Finally, Defendants note that the parties successfully argued a similar motion via teleconference this past summer in this matter. For the foregoing reasons, Defendants respectfully ask that the Court grant their request.

Defendants have conferred with counsel for Plaintiff Patterson Dental Supply, Inc. (“Patterson”) regarding this request. Patterson’s counsel stated that he would like to appear in person but that he did not oppose Defendants’ request to appear telephonically.

Very truly yours,

MADEL PA

s/Stephen M. Premo
Stephen M. Premo